

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

**IN RE: VALSARTAN
PRODUCTS LIABILITY LITIGATION**

Case No. 19-md-2875-RBK
MDL No. 2875

Hon. Robert B. Kugler, District Judge

**CERTIFICATION OF EMILY G.
TUCKER, ESQ.**

This Documents Relates to All Actions

I, Emily G. Tucker, Esq., certify as follows:

1. I am an attorney with the law firm Crowell & Moring LLP, and am an attorney of record in the above-captioned litigation representing Defendant Cardinal Health, Inc.

2. I make this Certification based on personal knowledge and in support of the Opposition of Wholesaler Defendants to Plaintiffs' Motion for Class Certification of the Consumer and Third Party Payor Economic Loss Claims.

3. Attached hereto is a true and accurate copy of the Index of Wholesaler Opposition Exhibits and Appendices drafted by counsel for Wholesalers, which contains a table of all Exhibits and Appendices included. This document has been filed with redactions to the extent that it contains information that has been designated as "PROTECTED INFORMATION" as defined in the Amended Confidentiality and Protective Order [ECF 1661] (the "Protective Order").

4. Filed herewith as Exhibit A is a true and accurate copy of the stipulation submitted to Plaintiffs by Wholesalers on February 11, 2021. This document has been filed under seal because it contains "PROTECTED INFORMATION" as defined in the Protective Order.

5. Filed herewith are the following Appendices:

- a. Appendix 1: Exemplar Cases Denying Certification of National, Multi-State, and/or Single State UE Classes
- b. Appendix 2: Examples of State Law Variations Regarding When an UE Claim May Be Asserted
- c. Appendix 3: UE: Directness of Relationship between Plaintiff and Defendant or of Benefit Conferred
- d. Appendix 4: UE: Survey of Defendant Conduct Requirements across 44* Jurisdictions
- e. Appendix 5: Statutes of Limitation Governing UE Claims
- f. Appendix 6: State Law Variations on the Proper Measure of UE
- g. Appendix 7: States Providing Statutory Protection For Innocent Sellers
- h. Appendix 8: Most Significant Relationship Factors
- i. Appendix 9: What Is “Unjust” Is Inherently Fact-Specific and Individualized
- j. Appendix 10: Wholesaler-Specific Expert Opinions. This document has been filed with redactions to the extent that it contains information that has been designated as “PROTECTED INFORMATION” as defined in the Protective Order.

Dated: April 12, 2022

Respectfully submitted,

s/ Emily G. Tucker

Emily G. Tucker, Esq.
CROWELL & MORING
1001 Pennsylvania Avenue NW
Washington, D.C. 20004
Tel.: (202) 624-1000
Fax: (202) 628-5116
Email: etucker@crowell.com

Counsel for Cardinal Health, Inc.

CERTIFICATE OF SERVICE

I, Emily G. Tucker, an attorney, hereby certify that on April 12, 2022, I caused the foregoing Certification of Emily G. Tucker to be served on all counsel of record via the Court's electronic filing service ("ECF").

s/ *Emily G. Tucker*
Emily G. Tucker